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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/076,604	02/19/2002	R. Tyler White	056324-0129	. 2755	
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FOLEY AND LARDNER SUITE 500			SLOBODYANSKY, ELIZABETH		
3000 K STREET NW			ART UNIT	ART UNIT PAPER NUMBER	
WASHINGTON, DC 20007		1652			
		·	DATE MAILED: 03/02/2004	DATE MAILED: 03/02/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Eatheroise of time may be available under the provision of 37 CFR 1.136(a). In no event, however, may a reply be timely filled security of time and the control of time and time a	-	Application No.	Applicant(s)				
Elizabeth Slobodyansky, PhD 1552	Office Action Summers	10/076,604	WHITE ET AL.				
The MALLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. THE MAILING DATE OF THIS COMMUNICATION. If the period for reply septided above is less than thing (0) days, any early be timely filled above to the period for reply septided above is less than thing (0) days, any early within the statisticy minimum of thing (30) days will be considered timely. If the period for reply septided above is less than thing (0) days, any early within the statistic principle and will expire St. (MONTHE from the satisfied and will expire St.) (MONTHE from the satisfied and will be considered timely.) If the period for reply septided above is less than thing (0) days, any expire state of the communication. Any period for reply septided above is less than thing (0) days, any expire state of the communication. If the period for reply septided above is less than thing (0) days, any expire state of the communication. If the period for reply septided above is less than thing (0) days, any expire state of the communication. If the period for reply septided and the satisfies and the satisfie	Office Action Summary	Examiner	Art Unit				
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of term raple a verified under the provision of 3 CFR 1.13(6). In no event, however, may a reply be timely filled after 50% (6) MODITISE term the mailing date of this communication. Followed the set of extended period of this communication. Fill operated for reply is periodic the thin these mediates printed with plan and the graphs (5) MODITISE that mailing date of this communication. Fill operated for reply is periodic the thin these mediates printed with plan and the graphs (5) MODITISE that mailing date of this communication. Fill operated for reply is periodic the thin these mediates after the mailing date of this communication, even 4 timely filled, may reduce any vertice any secure patient term delipations. Status 1) Responsive to communication(s) filled on 12 September 2002. 2a) This action is FINAL. 2b) This action is one-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 c.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 80 and 81 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are allowed. Claim(s) is/are objected to by the Examiner. Diplication Papers 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some °c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority docu	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
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Paper No(s)/Mail Date 6) Other:	(2) INDICE OF Draftsperson's Patent Drawing Review (PTO-948) (3) Information Disclosure Statement(s) (PTO-1449 or PTO/SR/08)						

Application/Control Number: 10/076,604

Art Unit: 1652

DETAILED ACTION

This application is a continuation of application 09/201,715 now abandoned.

The preliminary amendment filed September 12, 2002 canceling claim 1-79 and adding claims 80-81 has been entered.

Claims 80 and 81 are pending.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I-XL. Claims 80 and 81, drawn to methods of treatment using a single

polypeptide, classified in class 514, subclass 12, wherein the polypeptide

has an amino avid sequence selected from the group consisting of SEQ

ID NO:130, SEQ ID NO:131, SEQ ID NO:132, SEQ ID NO:134, SEQ ID

NO:135, SEQ ID NO:171, SEQ ID NO:172, SEQ ID NO:173, SEQ ID

NO:174, SEQ ID NO:177, SEQ ID NO:178, SEQ ID NO:179, SEQ ID

NO:183, SEQ ID NO:185, SEQ ID NO:186, SEQ ID NO:187, SEQ ID

NO:188, SEQ ID NO:190, SEQ ID NO:191, SEQ ID NO:192, SEQ ID

NO:194, SEQ ID NO:196, SEQ ID NO:197, SEQ ID NO:198, SEQ ID

NO:199, SEQ ID NO:204, SEQ ID NO:205, SEQ ID NO:206, SEQ ID

NO:207, SEQ ID NO:208, SEQ ID NO:210, SEQ ID NO:212, SEQ ID NO:213, SEQ ID NO:215, SEQ ID NO:218, SEQ ID NO:219, SEQ ID NO:2219, SEQ ID NO:2223 and SEQ ID NO:224, respectively.

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The polypeptides used in methods of Groups I-XL are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions use structurally different polypeptides having different functions, i.e. inhibiting different serine proteases (see, for example, Figures 45 and 46 A-D). Therefore, methods of inventions I-XL produce different therapeutic effects and have different utilities. Each of the polypeptides is neither used nor made by 39 other methods.

A telephone call was made to Mr. Matthew Mulkeen on February 24, 2004 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement can be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Slobodyansky, PhD whose telephone number is 571-272-0941. The examiner can normally be reached on M-F 10:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura Achutamurthy, PhD can be reached on 571-272-0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Elizabeth Slobodyansky, PhD

bodyourst

Primary Examiner Art Unit 1652

February 23, 2004